

FILED
U. S. DISTRICT COURT
DISTRICT OF NEBRASKA

2021 MAR 11 AM 9:05

UNITED STATES DISTRICT COURT

for the

District of

Division

Case No.

4:21CV300

(to be filled in by the Clerk's Office)

Jury Trial: (check one) Yes No

Devonte M D King

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

Toby Smith v. Sarah Jones
[REDACTED] Governor Pete Ricketts
[REDACTED] Suzanne Shore

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names. Do not include addresses here.)

COMPLAINT FOR VIOLATION OF CIVIL RIGHTS

(Non-Prisoner Complaint)

NOTICE

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Except as noted in this form, plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the filing fee or an application to proceed in forma pauperis.

I. The Parties to This Complaint

A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name
Address

Davonk m D King
1505 N Sheridan Ave
north platte ne 69101
City State Zip Code

County
Telephone Number
E-Mail Address

Lincoln
4161 loco 6456
davonk king 985@gmail.com

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known) and check whether you are bringing this complaint against them in their individual capacity or official capacity, or both. Attach additional pages if needed.

Defendant No. 1

Name
Job or Title (if known)
Address

Toby Smith
Police
701 s Jeffers St
north platte ne 69101
City State Zip Code

County
Telephone Number
E-Mail Address (if known)

Lincoln
308 535 6789

Individual capacity Official capacity

Defendant No. 2

Name
Job or Title (if known)
Address

Sarah Jones
Police
701 s Jeffers St
north platte ne 69101
City State Zip Code

County
Telephone Number
E-Mail Address (if known)

Lincoln
308 535 6789

Individual capacity Official capacity

Defendant No. 3

Name

Job or Title (*if known*)

Address

Lincoln

Governor Pete Ricketts
 Governor
 1445 K St
 [REDACTED] NE [REDACTED] 68508
 City State Zip Code
 [REDACTED] Lancaster
 402 471 2244

County

Telephone Number

E-Mail Address (*if known*)

Individual capacity Official capacity

Defendant No. 4

Name

Job or Title (*if known*)

Address

County

Telephone Number

E-Mail Address (*if known*)

[REDACTED]
 [REDACTED]
 [REDACTED]
 [REDACTED] DE [REDACTED]
 City State Zip Code
 [REDACTED]

Individual capacity Official capacity

II. Basis for Jurisdiction

Under 42 U.S.C. § 1983, you may sue state or local officials for the "deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws]." Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. Are you bringing suit against (*check all that apply*):

Federal officials (a *Bivens* claim)

State or local officials (a § 1983 claim) (C F)

B. Section 1983 allows claims alleging the "deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws]." 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?

Defendant no 4

Name SUSANNE Shore

Job title Governor wife Co-conspirator

Address 1445 K St Lincoln NC 68508

County Lancaster

Number 402 421 22 44

individual capacity

1 4th 5th 8th 14th False imprisonment Deprivation of
Rights under color of Law extraction

- C. Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials?
-

'C F' D.

Section 1983 allows defendants to be found liable only when they have acted "under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia." 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed.

III. Statement of Claim

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

- A. Where did the events giving rise to your claim(s) occur?

north platte Ne

- B. What date and approximate time did the events giving rise to your claim(s) occur?

3-10-21 10: am

- C. What are the facts underlying your claim(s)? (For example: *What happened to you? Who did what? Was anyone else involved? Who else saw what happened?*)

On page

IV. Injuries

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive.

*to have to walk
home in cold weather after jail*

V. Relief

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.

*Please this is my family ~~4~~
lawsuit i need a immediate order of protection from north platte
pd i'm seeking 800,000\$ for harassment deprivation of Rights*

*don't have License registration or insurance can you please tell north
platte pd and its members to leave me alone
have to take my son out of School indefinitely Because i don't know
when i will go to jail for goin to the store or ~~Jail~~ him
to school i don't USE the roads commercially*

VI. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

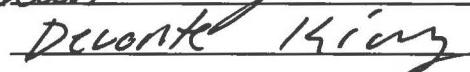
I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 3-10-21

Signature of Plaintiff



Printed Name of Plaintiff



B. For Attorneys

Date of signing: _____

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Address

City

State

Zip Code

Telephone Number

E-mail Address

Defendant Copy

Uniform Citation and Complaint

Citation Number: NP1000674

Date of Offense 03/10/2021	Time of Offense 08:24	IR/Case# 21-03865	Troop/District/Sector				
Plaintiff: State of Nebraska	In the LINCOLN - 15	County Court	Court Case #:				
Defendant Information:							
Last Name KING	First Name DEVONTE	M.I. M	Suffix				
Street Address 1505 N. SHERIDAN ST.		City NORTH PLATTE	State NE	Zip Code 69101	Country US		
DOB 11/22/1992	Gender M	Height 6' 00"	Weight 200 LBS	Eyes BLK	Hair BLK	Race/Eth B	Language if interpreter needed
DL State NE	DL Country US	DL Number H14097507		Exp. Date 03/10/2021	DL Class ID	Restrictions	DL Endorsements
Vehicle Year 2010	Vehicle Type PA	Vehicle Style 4D	Make TOYOTA - TOYT	Model COROLLA	Color SIL - ALUMINUM		
Vehicle VIN 1NXBU4EE2AZ381901	Vehicle License NA	State IA	Vehicle Country US	Year 2021	License Plate Type PA	CMV N	HazMat
Carrier Name		US DOT Number		ICC Number			
Business/Address		City	State	Zip Code		Country	

The undersigned being duly sworn, says the defendant, at the time and date shown, did unlawfully commit the following offense(s)

Violation Location	In the County of LINCOLN - 15	In the City of NORTH PLATTE	Hwy Type T	Hwy Number CITY	Hwy Suffix T	Mile Marker
	Location at or near D ST. AND MCCABE ST		Latitude _____ Longitude _____			

In violation of:

O F F E N S E 001	Statute/Ordinance Section 60-376(B)		Offense Description: NO PROOF OF OWNERSHIP			Violation Type: S
	Speed	Tracked	NCIC Code 5499	BAC Percent	Actual Weight	Legal Weight
	mph in	mph Zone	Comments: _____			
O F F E N S E 002	Statute/Ordinance Section 60-3,167		Offense Description: NO PROOF OF INSURANCE			Violation Type: S
	Speed	Tracked	NCIC Code 5499	BAC Percent	Actual Weight	Legal Weight
	mph in	mph Zone	Comments: _____			
O F F E N S E 003	Statute/Ordinance Section 60-484-WV		Offense Description: NO OPERATOR'S LICENSE/WAIVERABLE			Violation Type: S
	Speed	Tracked	NCIC Code 5499	BAC Percent	Actual Weight	Legal Weight
	mph in	mph Zone	Comments: _____			
O F F E N S E 004	Statute/Ordinance Section 60-339(1)A		Offense Description: UNLAWFUL/FICT DISPLAY OF PLATE/RENEW TAB			Violation Type: S
	Speed	Tracked	NCIC Code 5499	BAC Percent	Actual Weight	Legal Weight
	mph in	mph Zone	Comments: _____			

SMITH, T. NORTH PLATTE POLICE DEPARTMENT		03/10/2021	93			
Reporting Officer 1/Agency		Date	Badge Number	Reporting Officer 2/Agency	Date	Badge Number
This is an appearance only, not a trial date. You MUST Appear in Court as directed below:		Prosecutor				

Your Court Appearance: <input type="checkbox"/> To be determined	Court Address LINCOLN COUNTY COURT	Mailing Address LINCOLN COUNTY COURT	Room No.
--	--	--	----------

CASE NUMBER _____

IN THE COUNTY COURT OF LINCOLN COUNTY, NEBRASKA

STATE OF NEBRASKA

APPEARANCE BOND

VS.

PLAINTIFF

King, Devonte Michael
DEFENDANT

I acknowledge that I've been charged with the offense of No proof of insurance, Duty to carry license and in consideration of my release from custody agree to appear in the County Court of said County on 4-14-2021, at 0900 AM and thereafter as directed by the Court, to answer the charges against me. In the event that the offense charged is a felony, and I am bound over to District Court upon preliminary hearing, I further agree to appear in the District Court of said County forthwith or as so ordered, which court shall then have jurisdiction I further agree to appear in the District Court thereafter as directed by the Court. Further conditions of this bond are: _____

X I don't understand Stake
Devonte King 4/14/2021

I understand that failure to appear as required by the Court may cause a warrant for my arrest to be issued, and that further penalties may be imposed upon me, including forfeiture of the bond or bail, for willful failure to appear or for violation of any condition of the agreement upon which I am released. To guarantee my appearance, I do hereby acknowledge myself to be indebted to the State of Nebraska in the sum of \$_____, which sum is hereby secured as follows:

[] PERSONAL RECOGNIZANCE in the sum of \$_____

[] CASH: In the lieu of surety or sureties, the defendant deposits cash bond to secure his appearance and conditions made therein in the sum of \$_____

10% BOND; Bond set in the amount of \$ 2500.00, 10% of said amount or \$ 250.00 (Not less than \$25) deposited herewith in cash. 90% of which shall be returned to the defendant upon appearance as required above and 10% of which shall be retained by the Clerk for bond costs.

[] CORPORATE SURETY: In the sum of \$_____, Attached hereto:

[] SURETY: The undersigned (surety) (sureties) do hereby acknowledge themselves to be bound as (surety) (sureties) of the defendant on the above appearance bond in the sum of \$_____ with all conditions thereto:

DEFENDANTS SIGNATURE: I don't understand Devonte King DATE: _____

DEFENDANTS ADDRESS: 1501 N Sheridan north Omaha 64109

PHONE: 402 800 5856 DATE: _____

WITNESS: JNC72 DATE: _____

APPROVED BY THE COURT: _____ (SEAL)

(CLERK)

ASSIGNMENT

I hereby assign the proceeds of this bond to:

Print Name: _____ Signature: _____

Address: _____ Phone: _____

Date: _____ By: _____

Address: _____

C

Statement of claim

i was riding in my car takin
my son to school and to go
get food and mr toby and Sarah
Jones began to trespass Unlawfully
Searched my car the Suited me
for using the road freely

D

Basis for Jurisdiction

mr toby Smith and Sarah Jones
falsified a emergency to stop
me mr toby Smith and ms
Sarah Jones began to trespass
on my property then opened and search
my property then i was arrested
and jailed

the Governor is responsible for police
and for the protection of unlawful misconduct

Notice
for pics

pic of property pic of me

toby Smith outside of my

home months befor the Arrest

3-10-21 no arrest that day

was followed video on youtube

police the police North platte ne



